

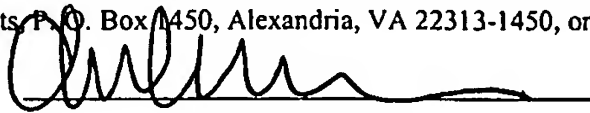


1642  
Jew

PATENT  
Docket No. 529452000120

**CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"**

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Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 17, 2004

  
Christine Donahue

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

David W. MORRIS et al.

Serial No.: 10/035,832

Filing Date: December 26, 2001

For: NOVEL COMPOSITIONS AND  
METHODS FOR CANCER

Examiner: Not Yet Assigned

Group Art Unit: 1642

**SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

The documents listed on the attached Form PTO-1449 were cited in an International Search Report mailed on July 26, 2004 and directed to counterpart international applications.

This Supplemental Information Disclosure Statement is submitted:

- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of is enclosed.
  - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of is enclosed.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist;

(iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

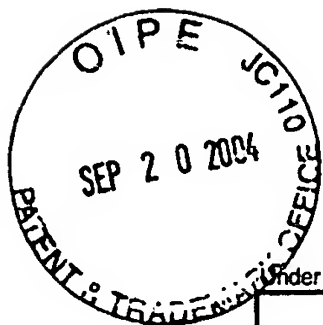
In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing 529452000120. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: September 16, 2004

Respectfully submitted,

By:   
Shantanu Basu  
Registration No. 43,318

Morrison & Foerster LLP  
755 Page Mill Road  
Palo Alto, California 94304-1018  
Telephone: (650) 813-5995  
Facsimile: (650) 494-0792



PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/035,832	
	Filing Date	December 26, 2001	
	First Named Inventor	David W. MORRIS	
	Art Unit	1642	
	Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission	6 + 5 Refs	Attorney Docket Number	529452000120

## ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	1. Form PTO-1449 + copy (2 pages)
<input checked="" type="checkbox"/> Supplemental Information Disclosure Statement (3 pages)	<input type="checkbox"/> CD, Number of CD(s) _____	2. Five (5) references
<input type="checkbox"/> Certified Copy of Priority Document(s)		3. Return postcard
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT


Firm or Individual name	MORRISON & FOERSTER LLP (Customer No. 25226) Shantanu Basu - 43,318
Signature	
Date	September 16, 2004

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Dated: September 17, 2004

Signature:

  
(Christine Donahue)

<b>Form PTO-1449</b> <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  (Use several sheets if necessary)	Docket Number 529452000120	Application Number 10/035,832
	Applicant David W. MORRIS et al.	
	Filing Date December 26, 2001	Group Art Unit 1642
	Mailing Date September 17, 2004	

## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	06/02/1998	5,759,776	Smith et al.			
	2.	07/07/1998	5,776,683	Smith et al.			
	3.	07/27/1999	5,928,870	Lapidus et al.			
	4.	06/13/2000	6,074,825	Rundell et al.			

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO

## OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	5.	International Search Report mailed on July 26, 2004, for PCT patent application no. PCT/US02/38582, filed on December 2, 2002, 8 pages.

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.